



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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MEMORANDUM

TO: The Commission

FROM: Christopher Hughey
Acting General Counsel

Kathleen M. Guith
Acting Associate General Counsel for Enforcement

BY: Mark Allen
Assistant General Counsel *MA*

Michael A. Columbo *MC*
Attorney

SUBJECT: MUR 6179 (Christopher Ward)

RE: Pre-Probable Cause Conciliation

ACTIONS RECOMMENDED: (1) Approve the negotiated and signed Conciliation Agreement; (2) approve the appropriate letters; and (3) close the file.

BACKGROUND: In this matter, respondent Christopher Ward was investigated by both the Commission and the Department of Justice ("DOJ") for violations of law arising from his embezzlement of funds from the National Republican Congressional Committee ("NRCC") and other committees that he served as treasurer until his embezzlement was discovered in January 2008. On February 26, 2009, and March 4, 2009, the Commission found reason to believe that Ward knowingly and willfully violated 2 U.S.C. §§ 432(b), (b)(3), (c), (d), (h)(1), 434(b), and 11 C.F.R. § 104.14(d), and authorized an investigation. Following the investigation, on January 7, 2010, the Commission approved a conciliation agreement in this matter

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3 |¹ Ward pleaded guilty on September 3, 2010, to one count of Interstate
4 Transportation of Stolen Property in violation of 18 U.S.C. § 2314. See MUR 6179 Memo to the
5 Commission dated October 22, 2010. On December 2, 2010, Ward was sentenced to 37 months
6 of incarceration pursuant to the plea agreement between the DOJ and Ward.² The plea
7 agreement between the DOJ and Ward also provided that Ward would pay restitution totaling
8 \$812,825. Ward further consented to a forfeiture order for \$844,718.
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11 | For example,
12 pursuant to the plea agreement, Ward admits that he “devised and participated in a continuing
13 course of conduct through which he stole funds from the NRCC and other political committees
14 who were clients of his accounting and consulting business.” Statement of Offense at 2
15 (Attachment A). Furthermore, Ward admits that from 2001 to 2007, he “stole approximately
16 \$844,718 by issuing unauthorized checks and wire transfers from the NRCC and political
17 committees that were clients of his business” for his personal benefit. *Id.* This total includes the
18 following amounts from the committees whose _____ filings and complaints generated this
19 matter: (1) \$672,587 from the NRCC; (2) \$20,000 from COLDPAC; (3) \$2,000 from
20 DENTPAC; (4) \$4,000 from JEBFund; (5) \$41,000 from LUISPAC; (6) \$2,000 from PHILPAC;
21 (7) \$9,000 from SAXPAC; and (8) \$15,000 from Tuesday Group PAC. *Id.* at 2-3. The
22 Statement of Offense also lists amounts ranging from \$500 to \$28,425 that Ward stole from ten
23 additional committees. *Id.* Ward also admitted in the Statement of Offense that he transferred
24 funds that he stole from the NRCC through the accounts of other committees before transferring
25 them to his own accounts. *Id.* at 3. Finally, Ward admits that when he was embezzling funds
26 from the aforementioned committees, “he regularly filed and caused to be filed reports with the
27 Federal Election Commission that contained false information for the purpose of concealing the
28 theft, conversion and misapplication of funds belonging to the NRCC and other political
29 committees.” *Id.* at 4.
30

31 **DISCUSSION:** Based on the terms of the plea agreement between the DOJ and Ward, and the
32 financial disclosure forms that Ward submitted to the Commission, we recommend that the
33 Commission accept the attached negotiated Conciliation Agreement, which has been signed by
34 Ward. See Attachment B.
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² Under the federal sentencing guidelines, the guideline range is 37-46 months. See DOJ Plea Offer Letter at 3 (Attachment A).

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2 We believe the proposed Conciliation Agreement represents a reasonable resolution of
3 this matter. Accordingly, we recommend that the Commission accept the attached Conciliation
4 Agreement and close the file.
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6 **RECOMMENDATIONS:**
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- 8 1. Accept the attached Conciliation Agreement.
9 2. Approve the appropriate letter.
10 3. Close the file.
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